

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION

CAPITOL RECORDS, INC., a Delaware Corporation; WARNER BROS. RECORDS, INC., a Delaware Corporation; ARISTA RECORDS, INC., a Delaware Corporation; BMG MUSIC, a New York general partnership; SONY MUSIC ENTERTAINMENT, INC., a Delaware Corporation; and UMG RECORDINGS, INC., a Delaware corporation,

Plaintiffs,

v.

JIM FITZPATRICK,

Defendant.

CIVIL ACTION No. 04-CV-40168 FDS

**PLAINTIFFS' MOTION FOR ADMISSION PRO HAC VICE**

Plaintiffs Capitol Records, Inc., Warner Bros. Records, Inc., Arista Records, Inc., BMG Music, Sony Music Entertainment, Inc., and UMG Recordings, Inc., (collectively, "Plaintiffs") hereby move this Court to grant Timothy E. Congrove leave to appear and practice in this Court pro hac vice. As grounds for this motion, Plaintiffs state as follows:

1. Mr. Congrove is a partner at the law firm of Shook Hardy & Bacon LLP, 2555 Grand Boulevard, Kansas City, Missouri 64108.
2. Mr. Congrove is not a member of the Massachusetts Bar or the Bar of the United States District Court for the District of Massachusetts.
3. Mr. Congrove meets the requirements to practice before the United States District for the District of Massachusetts, as set forth in Local Rule 83.5.3. See Certificate of Timothy E. Congrove, attached hereto as Exhibit A.

WHEREFORE, Plaintiffs respectfully request that this Court grant this Motion for leave to admit Mr. Congrove, pro hac vice.

Respectfully submitted,

CAPITOL RECORDS, INC., WARNER BROS. RECORDS, INC., ARISTA RECORDS, INC., BMG MUSIC, SONY MUSIC ENTERTAINMENT, INC., and UMG RECORDINGS, INC.,

By their attorneys,

**/s/ Gabriel M. Helmer**

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Dated: June 10, 2005

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATION OF COUNSEL**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that on June 8, 2005 counsel for the Plaintiffs attempted to confer with Michael T. Gaffney, Esquire, counsel for Jim Fitzpatrick, in a good faith attempt to resolve the issues raised in this motion and was unable to resolve this matter.

**/s/ Gabriel M. Helmer**

Gabriel M. Helmer

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of June, 2005, I caused a true copy of the above document to be served upon Michael T. Gaffney, Esquire, counsel for Jim Fitzpatrick, by facsimile and mail.

**/s/ Gabriel M. Helmer**

Gabriel M. Helmer